

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:09-CR-109-D
No. 7:11-CV-44-D

JOSPEH MICHAEL GUARASCIO,)
)
Petitioner,)
)
v.) **ORDER**
)
UNITED STATES OF AMERICA,)
)
Respondent.)

Petitioner filed a petition under 28 U.S.C. § 2255. Dismissal is not warranted at this time.

The United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned section 2255 Motion to Vacate, Set Aside or Correct Sentence, within forty (40) days of the filing of this order.

SO ORDERED. This 26 day of April 2011.



JAMES C. DEVER III
United States District Judge